



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**DEC 23 2009**

Mr. Louis Moore  
Bureau of Reclamation  
Mid-Pacific Region  
2800 Cottage Way, MP-140  
Sacramento, CA. 95825

Subject: Final Environmental Impact Statement for Delta-Mendota Canal and  
California Aqueduct Intertie (CEQ# 20090401)

Dear Mr. Moore:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA supports increasing the operational flexibility of the Central Valley Project (CVP) and State Water Project (SWP) in order to improve water supply reliability consistent with ecosystem protection, increase fish protections by reducing pumping during critical periods, and aid in adaptation to climate change. We acknowledge the potential for the Intertie project to contribute to the operational flexibility and water supply reliability of the CVP/SWP.

We continue to have concerns with the ability of the Intertie project to provide significant benefits given discrepancies between available water supply, demand, and contract quantities within the context of potential climate change effects. Information of potential actions and environmental conditions which could affect the use and operation of the Intertie would be of benefit to decision makers and the public. Therefore, we recommend the Record of Decision (ROD) describe Reclamation's efforts to better align contract obligations with existing developed water supplies and reasonably foreseeable water availability, and the potential for reduced inflow and export scenarios for the Bay Delta basin.

We recognize that the Bay Delta Conservation Plan and other more comprehensive forums will address the broader, long-term Bay Delta water management and ecosystem protection issues. We look forward to working with Reclamation as we all engage in these forums.

We appreciate the opportunity to review this FEIS. When the ROD is released for public review, please send one copy to the address above (mail code: CED-2). If you

have any questions, please contact me at (415) 972-3521, or contact Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or [fujii.laura@epa.gov](mailto:fujii.laura@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Laura Fujii for".

Kathleen M. Goforth, Manager  
Environmental Review Office  
Communities and Ecosystems Division

cc: Steve Tuggle, Western Area Power Authority  
Francis Mizuno, San Luis & Delta Mendota Water Authority